



Docket No: 2717.P046

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yip et al.

Application No.: 09/895,145

Filing Date: June 30, 2001

For: METHOD AND SYSTEM FOR INCREASING  
PARTICIPATION IN A STANDBY  
ROUTER PROTOCOL

)  
) Examiner: Ramy M. Osman

)  
) Art Unit: 2157

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\_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO RESCIND NOTICE OF ABANDONMENT

Dear Sir:

This is a petition to rescind the Notice of Abandonment, which was mailed on March 22, 2006.

Applicant believes the Notice of Abandonment was mailed in error because Applicant timely responded to the December 14, 2004, Office Action on April 14, 2005, with the payment of a one-month extension fee. A copy of this response is enclosed. In addition, the postcard that accompanied this response was date-stamped by the Patent Office mailroom as being received on April 18, 2005. A copy of this returned postcard is attached as well.

Thus, the Applicant petitions the Patent Office to rescind the Notice of Abandonment. It is clear from the attached documents that the Applicant filed a timely response with a one-month extension within the deadline to do so. Thus, because Applicant submitted a proper response and then relied upon the date-stamped return postcard for evidence that the Patent Office received the said response, Applicant had every reason to believe that the response was received by the Patent Office on the specified day of April 18, 2005. For these reasons, Applicant believes the Notice of Abandonment was sent in error and respectfully petitions that this notice be rescinded and that confirmation of the rescindment be mailed to Applicant.

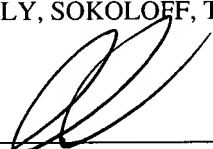
Finally, to the extent the rules do not specifically provide for this situation, Applicant hereby petitions under 37 CFR 1.137(b) that application Serial No. 09/895,145 be revived to allow for the filing of this response

and for further prosecution in this matter. This petition under Rule §1.137(b) should be granted for the reasons specified above, particularly in view of Applicant's belief that a timely response was filed to the Office Action mailed December 14, 2004, in Serial No. 09/895,145. Applicant hereby authorizes charging Deposit Account 02-2666 for any petition fees required under Rule §1.137(b), and any other fees required for the petitions named herein.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: April 3, 2006

  
\_\_\_\_\_  
Gregory D. Caldwell  
Reg. No. 39,926

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(503) 439-8778

**I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:**

4/3/06

Date of Deposit

Annie Pearson

Name of Person Mailing Correspondence

Annie Pearson

Signature

4/3/06

Date



Ap plication No.: 09/895,146 Filing Date: 6/30/200

Docket #: 2717.P04

Date Mailed: 04/14/2005 Due Date(s): 04/14/2005 |

Client: EXTREME NETWORKS, INC.

Atty/Sec: GDC/PAP/k

Title: METHOD AND SYSTEM FOR INCREASING PARTICIPATION IN A STANDBY ROUTER PROTOCOL

First Named Inventor: Michael Yip

The following has been received in the U.S.P.T.O. on the date stamped hereon:

Amendment: Response ( pgs)

Certificate of Mailing

Extension of Time: one (1) month

Fee Transmittal (original & copy)

Transmittal Letter

One replacement drawing

Check No. 17953 in the amount of \$120.00

Postcard

Assignee: Extreme Networks, Inc.

BLAKELY, SOKOLOFF, TAYLOR & FEMAN, LLP

A Limited Liability Partnership Including Law Corporations  
1925 NW AmberGlen Parkway, Suite 230  
Beaverton, Oregon 97006  
(503) 439-8778

WELLS FARGO BANK  
16365 SW BOCARY ROAD  
LAKE OSWEGO, OR 97035

17953

91-119  
1221(1)

DATE: 4/14/05

PAY

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DOLLARS \$ 120.00

TO  
THE  
ORDER  
OF

DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

*Pf. C. P.*  
AUTHORIZED SIGNATURE

MP

⑈017953⑈ ⑆122101191⑆0088 729975⑈

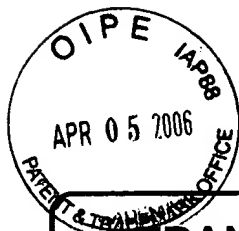
THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, BLEED THROUGH NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS.

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

<u>DATE</u>	<u>DESCRIPTION</u>	<u>ACCT. NO.</u>	<u>AMOUNT</u>
14/2005	U.S. Patent and Trademark Office extension of time fee for: METHOD AND SYSTEM FOR INCREASING PARTICIPATION IN A STANDBY ROUTER PROTOCOL Application No.: 09/895,146 Filing date: 6-30-01 Inventor: Michael Yip Examiner: Asad M. Nawaz Art Unit: 2155 002717.P046 GDC/PAP/krj	9670.1	\$ 120.00

27663

17953

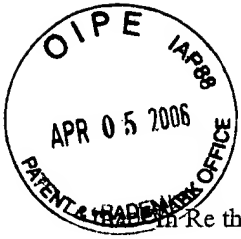


<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application No.	09/895,146
	Filing Date	June 30, 2001
	First Named Inventor	Michael Yip
	Art Unit	2155
	Examiner Name	Asad M. Nawaz
Total Number of Pages in This Submission	Attorney Docket Number	2717P046

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Check in the amount \$120.00 Return postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Philip A. Pedigo, Reg. No. 52,107 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Philip A. Pedigo</i>
Date	April 14, 2005

CERTIFICATE OF MAILING/TRANSMISSION		
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
Typed or printed name <b>Katherine Jennings</b>		
Signature	<i>Katherine Jennings</i>	Date <b>April 14, 2005</b>



Docket No.: 2717P046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

MICHAEL YIP, ET AL.

Application No.: 09/895,146

Filed: June 30, 2001

For: MEHTOD AND SYSTEM FOR INCREASING PARTICIPATION IN A STANDBY  
ROUTER PROTOCOL

Art Group: 2155

Examiner: Asad M. Nawaz

**PETITION FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F. R. § 1.136(a), Applicants for the above-identified application respectfully  
Petition the Commissioner for a one (1) month extension of time, extending the period for response to April 14,  
2005, from the Office Action dated January 14, 2005. The petition filing fee of \$120.00 and an Amendment and  
Response to Office Action are attached.

If it should be determined that a longer extension of time is required to prevent this application from being  
abandoned, please charge any additional fees to Deposit Account No. 02-2666. A copy of the Fee Transmittal is  
enclosed for deposit account charging purposes.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Date: April 14, 2005

Philip A. Pedigo, Reg. No. 52,107

12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
Telephone: (503) 439-8778

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being deposited with the  
United States Postal Service on the date shown below with sufficient  
postage as first class mail in an envelope addressed to: Mail Stop  
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450.

04-14-05

Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/895,145  
Applicant : Michael Yip  
Filed : June 30, 2001  
TC/A.U. : 2155  
Examiner : Nawaz, Asad M.

Confirmation No. 8308

Docket No. : 02717.P046  
Customer No. : 08791

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE

In response to the Office action mailed December 14, 2004, please enter this amendment and consider the following remarks.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A method for a standby router protocol (SRP) comprising:  
  
    assigning a VLAN participating in an SRP to a membership in a VLAN domain, the VLAN domain having a master VLAN;  
  
    establishing a default route for the membership of the VLAN domain as determined by a virtual router with which the master VLAN is associated; and  
  
    routing traffic for the VLAN in accordance with the domain master VLAN's default route.
2. (Original) The method of claim 1, wherein establishing the default route is further determined by a current master of the virtual router.
3. (Original) The method of claim 1, further comprising re-establishing the default route for the membership of the VLAN domain as determined by a new master of the virtual router elected in accordance with the SRP.
4. (Original) The method of claim 1, further comprising sending an SRP message from the master VLAN to the virtual router on behalf of the membership of the VLAN domain.



5. (Original) The method of claim 1, wherein the SRP message is an Internet Protocol packet datagram unit (PDU).
6. (Original) The method of claim 5, wherein the PDU contains parameter data about a status of an end-host in a member VLAN.
7. (Original) The method of claim 5, wherein the PDU contains parameter data about a status of a member VLAN in the VLAN domain.
8. (Original) The method of claim 5, wherein the PDU contains parameter data about a status of the VLAN domain.
9. (Original) The method of claim 1, wherein the member VLAN is a layer-2 subnet.
10. (Original) The method of claim 1, wherein the domain master VLAN is a layer-2 subnet.
11. (Original) A method for a standby router protocol (SRP) comprising:

assigning an end-host to a host-specific port of a first router supporting a virtual router in an SRP;

establishing an initial default route for the end-host determined by a current master router for the virtual router, the current master router elected in accordance with the SRP;

routing traffic for the end-host in accordance with the initial default route; and

routing traffic for the end-host in accordance with a subsequent default route, the subsequent default route determined by a new master router for the virtual router, the new master router elected in accordance with the SRP.

12. (Original) The method of claim 11 wherein the first router is the current master router.

13. (Original) The method of claim 11 wherein the first router is a backup router.

## Remarks

The Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. No claims have been added, withdrawn, amended, or cancelled. Thus, claims 1-13 remain pending in the application.

## Figures

The figures were objected to because item 240 in FIG. 2 was not legible. In response, the Applicant has submitted a replacement for FIG. 2 that cures this deficiency. The Applicant respectfully requests that the objection to the figures be withdrawn.

## Claim Rejections § 102

Claims 1-3 and 9-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by published U.S. Patent Application No. 2001/0048661 in the name of Clear (*Clear*). For at least the reasons set forth below, the Applicant submits that claims 1-3 and 9-13 are not rendered anticipated by *Clear*.

The Manual of Patent Examining Procedure ("MPEP"), in § 2131, states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Thus, under 35 U.S.C. § 102, a claim is anticipated *only if* each and every element of the claim is found in the cited reference and the cited reference must show the invention in as complete detail as contained in the claim.

Claim 1 recites:

**assigning a VLAN participating in an SRP** to a membership in a VLAN domain, the VLAN domain having a master VLAN;

establishing a default route for the membership of the VLAN domain as determined by a virtual router with which the master VLAN is associated; and

routing traffic for the VLAN in accordance with the domain master VLAN's default route.

(Emphasis added).

*Clear* is directed to the problem of providing multi-protocol redundant router protocol support. See, e.g., paragraph 6. In particular, *Clear* discloses a system for supporting both the Hot Standby Router Protocol (HSRP) and the Virtual Router Redundancy Protocol (VRRP). See, e.g., paragraph 17. Regarding claim 1, the Office action directs the Applicant's attention to paragraphs 3, 4, 19, 22, 23, and 47. The Applicant respectfully notes that these paragraphs are cited without specifying how they apply to the limitations of claim 1.

The Applicant notes, however, that the cited paragraphs of *Clear* do not disclose VLANs. For at least the reason that the cited passages of *Clear* do not disclose VLANs, they cannot disclose "assigning a VLAN participating in an SRP to a membership in a VLAN domain, the VLAN domain having a master VLAN," as recited in claim 1. In fact, the only references to VLANs that the Applicant can find in *Clear* relate to a data unit having a destination address that is a VLAN ID. VLAN domains and assigning a VLAN ... to a membership in a VLAN domain are, however, not mentioned in *Clear*. Thus, the Applicant respectfully submits that claim 1 is not anticipated by the cited passages of *Clear*.

Independent claim 11, in part, recites:

assigning an end-host to a **host-specific port** of a first router  
supporting a virtual router in an SRP...

(Emphasis added). In rejecting claim 11, the Office action states “[c]laim 11 contains essentially the same limitations presented in claims 1 and 3 above and thus is rejected under the same rationale.” The Applicant respectfully notes that the passages of *Clear* cited against claims 1 and 3 (e.g., 3, 4, 19, 20, 22, 23, and 47) do disclose a host-specific port. Since the cited passages of *Clear* do not disclose a host-specific port, they cannot disclose “assigning an end-host to a **host-specific port** of a first router supporting a virtual router in an SRP,” as recited in claim 11. Thus, the Applicant respectfully submits that claim 11 is not anticipated by the cited passages of *Clear*.

Claims 2-3 and 9 depend from claim 1. Claims 12-13 depend from claim 11. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant submits that claims 2-3, 9, and 12-13 are not anticipated by *Clear*.

#### Claim Rejections § 103

Dependent claims 4-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Clear* and Request for Comments (RFC) 2281. Claims 4-8 depend from claim 1 and include the limitations of claim 1. For at least the reasons set forth below, the Applicant submits that claims 4-8 are not rendered obvious by *Clear*.

The Manual of Patent Examining Procedure (“MPEP”), in § 706.02(j), states:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be both found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

(Emphasis added). Thus, the MPEP and applicable case law require that the Office action establish that a combination of references teach or suggest **all of the claim limitations** of rejected claims to sustain an obviousness rejection under 35 U.S.C. § 103. As shown below, Applicants respectfully submit that the Office action does not establish a *prima facie* case of obviousness.

RFC 2281 is cited as teaching the use of "an SRP message" to a virtual router. Whether or not RFC 2281 discloses the limitations cited by the Office action, it does not teach or suggest "assigning a VLAN participating in an SRP to a membership in a VLAN domain, the VLAN domain having a master VLAN," as recited in claim 1. Because neither *Clear* nor RFC 2281 teaches or suggests the above-cited claim limitations, no combination of *Clear* with RFC 2281 teaches or suggests the invention as recited in claim 1. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant submits that claims 4-8 are not rendered obvious by *Clear* in view of RFC 2281.

Application No. 09/895,145  
Amendment dated April 14, 2005  
Response to Office Action of December 14, 2004

Atty. Docket No. 02717.P046  
Examiner Nawaz, Asad M.  
TC/A.U. 2155

Conclusion

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: April 14, 2005

Philip A. Pedigo  
Philip A. Pedigo  
Reg. No. 52,107

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 684-62

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

April 14, 2005

Date of Deposit

Pedigo, Philip A.

Name of Person Mailing Correspondence

Philip A. Pedigo  
Signature

April 14, 2005  
Date



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APR 22 2005

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
LOS ANGELES

WV

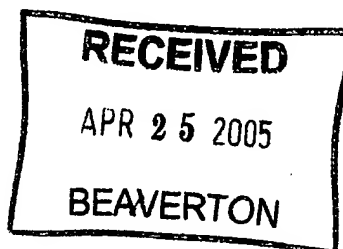
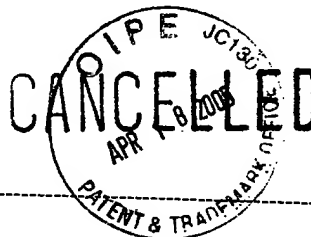
Application No.: 09/895,146 Filing Date: 6/30/2001 Docket #: 2717.P046  
Date Mailed: 04/14/2005 Due Date(s): 04/14/2005  
Client: EXTREME NETWORKS, INC. Atty/Sec: GDC/PAP/kri  
Title: METHOD AND SYSTEM FOR INCREASING PARTICIPATION IN A STANDBY ROUTER PROTOCOL

First Named Inventor: Michael Yip

The following has been received in the U.S.P.T.O. on the date stamped hereon:

Amendment: Response (pgs)  
Certificate of Mailing  
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Assignee: Extreme Networks, Inc.



4/25/05





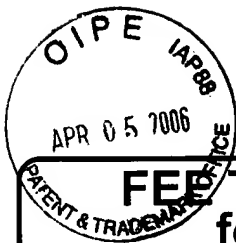
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application No.	09/895,146	
	Filing Date	June 30, 2001	
	First Named Inventor	Michael Yip	
	Art Unit	2157	
	Examiner Name	Ramy M. Osman	
Total Number of Pages in This Submission	25	Attorney Docket Number	2717P046

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><ul style="list-style-type: none"><li>- petition to rescind Notice of Abandonment (2 pgs)</li><li>- copy of response filed April 14, 2005 (16 pgs)</li><li>- copy of returned postcard date-stamped by PTO on April 18, 2005 (1 pg)</li><li>- return postcard</li></ul></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gregory D. Caldwell, Reg. No. 39,926 BLAKELY, SOLOKOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	April 3, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Annie G. Pearson		
Signature		Date	April 3, 2006



# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/895,146
Filing Date	June 30, 2001
First Named Inventor	Michael Yip
Examiner Name	Ramy M. Osman
Art Unit	2157
Attorney Docket No.	2717P046

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☐ Credit any overpayments

## FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) Petition to Rescind Notice of Abandonment					0.00
SUBTOTAL (2)				(\$)	0.00

## SUBMITTED BY

Name (Print/Type)	Gregory D. Caldwell	Registration No. (Attorney/Agent)	39,926	Telephone	(503) 439-8778
Signature		Date	04/03/06		